

Regular Session, 2012

HOUSE CONCURRENT STUDY REQUEST NO. 2
BY REPRESENTATIVE PYLANT

Approved
6-4-12

ELECTIONS: Requests a study concerning provisions of law regulating political material and communications

1 A CONCURRENT STUDY REQUEST

2 To the House Committee on House and Governmental Affairs and the Senate Committee on
3 Senate and Governmental Affairs to meet and to function as a joint committee to
4 conduct a comprehensive study of provisions of law regulating political material and
5 communications and to report the findings of the joint committee to the legislature
6 prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

7 WHEREAS, the Legislature of Louisiana has recognized a compelling interest in
8 assuring that elections are conducted in a fair and ethical manner; and

9 WHEREAS, to this end, the legislature has enacted a number of provisions of law
10 regulating political material and communications, including provisions relative to false
11 statements about a candidate or proposition, statements concerning the affiliation of a person
12 or political committee with a candidate, statements concerning who is responsible for
13 political publications, and campaign-related telephone communications; and

14 WHEREAS, many of these provisions of law were enacted separately and over the
15 course of a number of years; and

16 WHEREAS, a number of these provisions are in the Louisiana Election Code and
17 provide for criminal penalties; and

18 WHEREAS, some of these provisions are in the Code of Governmental Ethics, which
19 is enforced by the Board of Ethics; and

20 WHEREAS, the scope of these provisions appears to overlap with regard to certain
21 activity, although their scope is not clear; and

1 WHEREAS, laws that regulate political expression should be as clear as possible
2 because such laws involve important rights under the state and federal constitutions.

3 THEREFORE, the Legislature of Louisiana requests the House Committee on House
4 and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs
5 to meet and to function as a joint committee to conduct a comprehensive study of provisions
6 of law regulating political material and communications and to report the findings of the
7 joint committee to the legislature prior to the convening of the 2013 Regular Session of the
8 Legislature of Louisiana.

9 THEREFORE, the Legislature of Louisiana further requests that the joint committee
10 specifically solicit input, recommendations, and advice from the following:

11 (1) The attorney general.

12 (2) The secretary of state.

13 (3) The Board of Ethics.

14 (4) The Louisiana District Attorneys Association.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Pylant

HCSR No. 2

Requests the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to conduct a comprehensive study of provisions of law regulating political material and communications and to report its findings to the legislature prior to the 2013 R.S. Requests the joint committee to solicit input, recommendations, and advice from the attorney general, the secretary of state, the Board of Ethics, and the La. District Attorneys Association.